

OCTOBER 29, 1993

Mr. Richard Fortuna
Executive Director
Hazardous Waste Treatment Council
915 15th Street, N.W., Fifth Floor
Washington, DC 20005

Dear Mr. Fortuna:

This is in response to your September 29, 1993, letter to the Administrator concerning the applicability of the Agency's regulations to thermal desorbers, sludge dryers and other hybrid incineration devices.

As you are aware, we discussed these and other related issues in an October 12, 1993, meeting among representatives from the Hazardous Waste Treatment Council, and staff from our office, the Office of Emergency and Remedial Response, the Office of Research and Development, and others. As we acknowledge in our meeting, there may be some need to further address whether certain thermal desorbers are, in fact, subject to regulation under the Part 264, Subpart O, incinerator standards rather than the Subpart X standards for miscellaneous treatment units. We are not inclined, however, to agree with your assertion that the Subpart X standards are inadequate for thermal desorbers determined to be subject to those standards. As we discussed in our October 12 meeting, although we are not aware of any thermal desorbers permitted as yet under Subpart X, permit writers would certainly look to Subpart O to determine which of those controls are appropriate and should be applied to the Subpart X device, and then determine which additional controls, if any, are necessary to protect human health and the environment.

The Agency will move as quickly as possible to address your concerns given the priority of implementing the Draft Waste Minimization and Combustion Strategy. We appreciate your participation in our October 12 meeting and look forward to working with you regarding exchanging additional technical information.

If you have further questions, please feel free to call me at (703) 308-8414 or John Smith, in the Hazardous Site Control Division, OERR, at (703) 603-8800.

Sincerely,

Frederic D. Chania
Project Director
National Waste Minimization
and Combustion Strategy

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cc: A. Blakeman Early, Washington Director, Sierra Club
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League of America
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